Remarks

After entry of the amendment, claims 25-45 are pending.

Claims 1-24 have been canceled without prejudice. New claims 25-45 have been added and are supported by the original claims. No issues of new matter should arise and entry of the amendment is respectfully requested.

Rejection under 35 USC § 103

Claims 1-20 are rejected under 35 USC § 103 as being obvious over US Patent No. 4,895,841 to Sugimoto et al in view of Ebel et al, *Psychopharmacology*, 61:251-254 (1979) and Hurlbut, *Psychiatric Aspects of Emergency Medicine*, 9(1):31-52 (1991).

Applicants respectfully traverse the rejection and respectfully submit that the references do not disclose or suggest the claimed invention.

Sugimoto discloses donepezil. Applicants agree with the PTO that Sugimoto does not disclose or suggest the claimed methods of the invention. *See* Office Action at page 2, line 20.

Ebel and Hurlbut do not cure the deficiencies of Sugimoto.

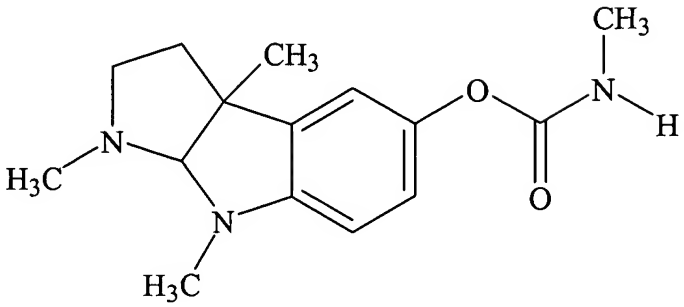
In the Office Action at page 3, the PTO asserts that "Ebel states that the activity of cholinesterase is increased as a response to ethanol intoxication in certain regions of the brain." Ebel teaches that ethanol intoxication resulted in an increase in CAT (choline acetyltransferase) activity in the caudate nucleus of mice brains; however AChE (acetylcholinesterase) activity remained unchanged. Some cholinesterase inhibitors, such as donepezil, increase CAT (choline acetyltransferase) activity. *See* Kato et al, *Neurosci Lett.*, 260(1):5-8 (1999)("Donepezil, another potent AChE inhibitor, also increased ChAT [choline acetyltransferase] activity....").[1] If ethanol intoxication increased CAT (choline acetyltransferase) activity, as suggested by Ebel, then one skilled in the art would not administer a compound (e.g., donepezil) that also increased CAT (choline acetyltransferase) activity in order to treat ethanol intoxication.

Applicants respectfully submit that Hurlbut does not disclose or suggest the claimed invention, and incorporate their remarks from the Response and Amendment filed September 28, 2005, herein in their entirety.

Hurlbut describes physostigmine, which is represented by the following chemical structure:

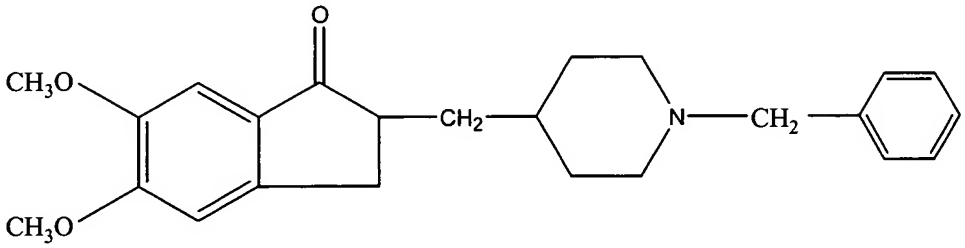
[1] A copy of Kato et al, *Neurosci Lett.*, 260(1):5-8 (1999) is submitted in the Information Disclosure Statement filed concurrently herewith.

Physostigmine



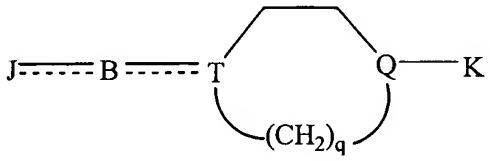
The chemical structure of physostigmine is wholly unrelated to the chemical structure of donepezil which is recited in claims 25-42 and which has the following chemical structure:

Donepezil



The chemical structure of physostigmine is wholly unrelated to the chemical structure of the compound of Formula (I) which encompasses claims 43-45 and which has the following chemical structure:

Claimed Compound of Formula (I)



where the substituents are recited in the claims.

Hurlbut only discusses the use of physostigmine. *See* Hurlbut at page 49. In view of the significant differences in the chemical structure of physostigmine and the chemical structures of the claimed donepezil and claimed compounds of Formula (I), one skilled in the art would not be motivated to apply the teachings in Hurlbut to the presently claimed methods. There is no teaching in Hurlbut or any of the other cited references that would lead one skilled in the art to

expect that structurally unrelated compounds can be used for the same purposes or that structurally unrelated compounds would possess substantially the same or similar functional properties or characteristics.

In view of the fact that Hurlbut is solely related to physostigmine and is wholly unrelated to the claimed compounds, Applicants respectfully submit that Hurlbut does not cure the deficiencies of Sugimoto and Ebel.

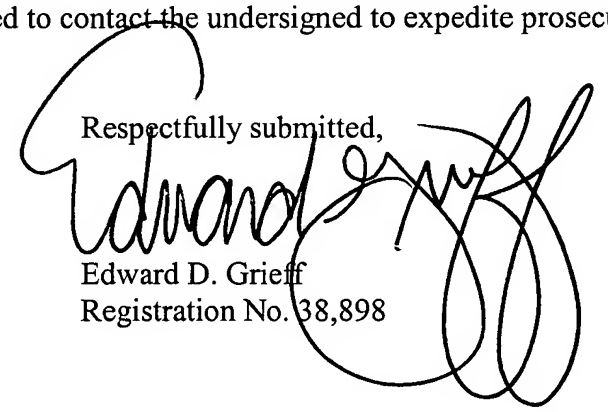
With respect to claim 42, none of the cited references disclose or suggest methods for decreasing the rate of relapse in a patient who had been previously addicted to an addictive substance by administering donepezil. Accordingly, the PTO has not established a *prima facie* case of obviousness for claim 42, such that the rejection must be withdrawn.

Applicants respectfully submit that the PTO has not established a *prima facie* case of obviousness. In view thereof, Applicants respectfully request that the rejection under 35 USC § 103 be withdrawn.

Conclusion

An early and favorable reconsideration and allowance of claims 25-45 is respectfully requested. The Examiner is encouraged to contact the undersigned to expedite prosecution of this application.

Respectfully submitted,



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